

REMARKS

Claims 8-26 are pending in this application. The following remarks are being made to facilitate early allowance of the presently claimed subject matter. Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claim priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (US Patent No. 5,506,157). This rejection is respectfully traversed.

Applicants submit that there is no suggestion or motivation to modify Lee et al. In the Office Action, the Office admits that Lee et al. do not disclose "a remaining portion of an emitter landing pad that is distanced from an intrinsic base" (claim 8 of the current invention), because Lee et al. only disclose "a portion of an emitter region that is distanced from an intrinsic base." Office Action at page 3 (internal citation omitted, emphasis added). However, the Office asserts that "it would have been obvious to one having ordinary skilled [sic.] in the art at the time the invention was made to modify the teaching of Lee discussed above such that the emitting landing pad that [sic.] is distanced from the intrinsic base for a purpose of providing higher electrical performance of the transistors." *Id.* The Office's reasoning is that "the emitter region should have an emitting landing pad for electrical connection in the circuit." *Id.* Applicants respectfully traverse the Office's logic.

Applicants first note that in the Office Action, the Office recites "emitting landing pad." *Id.* Applicants do not understand what an emitting landing pad is and whether the Office uses this phrase to indicate the emitter landing pad of the current invention. For sake of

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argumentation, Applicants assume that the Office means emitter landing pad, but respectfully request clarification.

Second, it is incomprehensible why "the emitter region should have an emitting landing pad for electrical connection in the circuit." Office Action at page 3. A landing pad is commonly made of dielectric materials and is used for, *inter alia*, stoping etching. Applicants submit that dielectric materials cannot be used for electrical connection. In addition, it is commonly known that an emitter region is connected through a contact to other components in an IC. Given there is no specific reasons and information provided in Lee et al., Applicants submit that it is incomprehensible why the emitter region in Lee et al. "should have an emitting landing pad for electrical connection." *Id.* (Emphasis added). Applicants submit that the Office's assertion is not supported by either the disclosure of Lee et al. or the current knowledge of one with skill in the art.

Third, it is incomprehensible how higher performance could be achieved by putting the emitting landing pad distanced from the intrinsic base. According to the Office's reasoning, the emitting landing pad is used for electrical connection. But the Office fails to provide any support to the assertion that the electrical connection function of the emitting landing pad can be enhanced by putting it distanced from the intrinsic base. Applicants submit that it is only through the hindsight of the current invention that the Office arrives at this conclusion.

In view of the foregoing, Applicants submit that the Office fails to established a prima facie case of obviousness and respectfully request withdrawal of the rejections.

Applicants appreciate the indication that claims 13-26 are allowed. With regard to the Office's stated reasons for allowance, Applicants submit that the stated reasons are only

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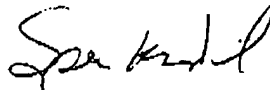
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illustrative and other reasons are also applicable. Applicants also appreciate the indication that claims 10-12 would be allowable if rewritten in independent form. However, for the reasons stated above, Applicants do not believe such action is necessary.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



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